

**UNITED STATES DISTRICT COURT**

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>UNIGARD INSURANCE COMPANY, A foreign insurance coporation,  Plaintiff,</p> <p>vs.</p> <p>M.F.A. MUTUAL INSURANCE COMPANY, A foreign insurance corporation, JOHN MICHAEL STUDER, EDNA LANDRUM And WILLIAM LANDRUM, COUNTRYSIDE CASUALTY COMPANY Defendants.</p>		<p>For plaintiff:</p> <p>Richard D. Gibbon <i>Associates</i> <del>217 Pythian Bldg.</del> <i>301 Benson Bldg.</i> Tulsa, Oklahoma 74103 <del>585-5537</del> <i>583-3195</i></p> <p>For defendant:</p> <p>Luther P. Lane 3152 S. Owasso 742-0882 <i>74103</i> Attorney for Studer and Avers</p> <p>Floyd L. Walker &amp; Associates, Inc. <del>Ronald A. Skoller</del> <del>405 Mayo Bldg.</del> <i>1919 4<sup>th</sup> Natl Bank</i> Tulsa, Oklahoma 74103 Attorney for Landrums</p> <p>Joseph A. Sharp (Countryside Casualty) 200 Franklin Bldg. Tulsa, OK 74103</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>6-1-73</i>	Clerk	5-4-73	Gibbon	15.00	
		5-10-73	C.D.No.48		15 00
J.S. 6 mailed <i>4-1-75</i>	Marshal	4-29-75	Walker	5 00	
		5-1-75	C. D. #48		5 00
Basis of Action: Declaratory Judgment.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-4-73	Complaint filed and Summons issued. v	
5-14-73	Returns on U.S. Marshals Service, Summons, filed. Served John Michael Studer by serving May P. Studer, in Tulsa, Okla., on 5-7-73, with fees of \$6.96. Served Edna Landrum in Tulsa, Okla., on 5-7-73, with fees of \$5.04. Served William Landrum in Tulsa, Okla., on 5-7-73, with fees of \$3.00. Served MFA Mutual Insurance Co., by serving Joe B. Hunt, in Okla. City, Okla., on 5-10-73, with fees of \$4.72. -v-	
5-21-73	Receipt for \$3.00 from Insurance Department of Okla., for service & Summons, filed. v	
5-24-73	Answer of defendants Studer and Avers, filed. jj of pltf.	
5-24-73	Application/for Appointment of Guardian-Ad-Litem, filed. jj <i>as Judge</i>	with Stipulation
5-25-73	Defts. William Landrum & Edna Landrum Request for Extension of Time, filed. jj	
5-25-73	Defts. Brief in Support of Motion for Extension of Time, filed. jj	
5-29-73	Entry of appearance and application for additional time to file answer, of deft. MFA Mutual Ins. Co., filed, with order granting deft. MFA until 6-14-73 to answer. (JCS-Clerk)hm	
5-30-73	Defts. Wm. Landrum & Edna Landrum granted 60 days from 5-30-73 to file answer. (AEB-J)g copies mailed.	
5-31-73	Order filed, on appl. of pltf for appt of guardian-ad-litem. The Court being advised as to minority of deft., John M. Studer, hereby appoints Bill Studer, as guardian-ad-litem, filed. (AEB-J)r (Copies mailed)	
6-12-73	Mot. of M.F.A. Insurance Co. to Dismiss; Entry of Appearance & Agreement of Countryside Casualty Co. for Pltf. to Amend its complaint; Entry of Appearance and Answer of Countryside Casualty Co., filed. v	
6-19-73	Interrogatories Propounded to John Michael Studer, filed. v	
6-26-73	Response of pltf. to MFA's mo/dismiss, filed. rm	
7-6-73	Req. for adm. propounded to Unigard Ins. by defs. Edna & Wm. Landrum, filed rm	
7-6-73	Interrogatories propounded to Unigard by defs. Landrums, filed. rm	
7-11-73	Answer of the Defts, Edna Landrum & Wm. Landrum, filed. v	
7-19-73	Unigard Insurance Co's answers to Interrogatories of defendants Edna and Wm. Landrum filed.h	
7-19-73	Unigard Ins. Co.'s admissions filed.h and entered	
8-29-73	Order filed/sustaining motion of M.F.A. Mutual Ins. Co. to be dismissed; allowing Countryside Casualty Company to enter its appearance; granting plaintiff leave to amend its complaint instant, and directing that the answer contained in the motion of M.F.A. should be considered the answer of Countryside Casualty Company. (AEB-J)g	
3-20-74	Parties directed to hold pre-trial conference prior to 4-25-74 and file PT order not later than 5-2-74. (AEB-J)hm	

## D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
5-7-74	Application of parties to the action for Additional Time Within Which to File Pre-Trial Order, filed. (Order incorporated as part of pleading) (o to J)	
5-9-74	Order granting parties until 5-15-74 to file pre-trial order, filed. (AEB-J)g <i>per record</i>	
6-28-74	Pre-trial Order, filed. (AEB-J)g	
7-29-74	Deposition of Edgar Wayne Holt taken before Millie Ballard, LSR, on 5-16-74, in Tulsa, filed. v	
7-29-74	Deposition of Clyde Holt taken before Millie Ballard, LSR, on 5-16-74, in Tulsa, OK, filed. v	
8-13-74	MO: Case set for non-jury trial on 8-27-74, at 10:00 A.M. (AEB-J)b	
8-26-74	MO: It is ordered by the Court case is stricken from non-jury docket of 8-27-74; to be set for 11-11-74 docket. (AEB-J)b	Prts. notified by phone
8-30-74	Case set for non-jury trial on 11-11-74, at 9:30 A.M. (AEB-J) b	
11-11-74	Stipulation & Order, filed. (AEB-J)k	
11-11-74	Deposition of Scott Bates on behalf of defts. Landrum taken before Frank L. Peterson, CSR, on 11-5-74 w/ fees of \$37.50. k	
11-11-74	Case called for non-jury trial. Case passed per Stipulation and Order filed this date. (AEB-J)b	
12-13-74	Brief of Pltf. Unigard Insurance Co., filed. g	
1-10-75	Brief of Edna & William Landrum, filed.k	
1-28-75	MO: ORDERED BY THE COURT that this case is set for Non-Jury Trial on February 3, 1975, at 10:00 A.M. (AEB-J)v -notices mailed.	
1-30-75	MO: Ordered by the Court that case be stricken from non-jury docket on 2-3-75. Parties to submit on Stipulation, briefs and depositions. (AEB-J)b <i>2 copies to be submitted</i>	
2-3-75	Brief of deft. Countryside Casualty Company, filed. g	
2-10-75	Memorandum brief of John Michael Studer, deft., filed.k	
3-28-75	Findings of Fact and Conclusions of Law, filed. (AEB-J)jj copies mailed	
3-28-75	Judgment filed and entered that Unigard Ins. Co. and Countryside Casualty Co. have no coverage and are not obligated to indemnify or defend any claims arising out of accident of 8-27-72, (AEB-J)jj	
4-28-75	Notice of appeal by defts., Edna Landrum and William Landrum, from judg. of 3/28/75, filed. rm (copies to counsel and USCA)	
4-29-75	Bond for costs on appeal (\$250 surety), filed. rm	
5-21-75	Designation of record on appeal by defts., Landrum, in form of letter, filed. rm	

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DATE	PROCEEDINGS	Date Order or Judgment Note
5-27-75	Letter of Countryside Casualty, filed, approving designation of appeal record. g	
5-28-75	Telephone conversation w/pltf. counsel - he has no objs. nor additions to record on appeal. rm	
5-29-75	Appeal record (5 volumes) transmitted to USCA. rm	
7-21-76	Mandate and opinion of USCA, filed and spread of record, that cause is reversed and remanded for further proceedings in accordance with opinion of 10th circuit. rm	
7-26-76	Appeal record (5 vols.) recd from USCA. g	
8-5	Bill of costs by defs., Edna & Wm. Landrum, filed. Cost hearing set for 8/27/76 at 10 a.m. rm	
8-27	MO: Case called for cost hrg. before Clerk. Parties represented. Costs taxed in the amt. of \$304.50 in favor of the defts Landrum. (JCS-Clk)k	
11-2	Judgment on mandate after appeal, filed & entered, in favor of John Michael Studer, Edna Landrum and William Landrum against Uni-gard Ins. Co.s (AEB-J) cps. mld.	